



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

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**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2207036

Application Name: Pacland Inc., for Wal-Mart Stores, Inc.

Address of Proposal: 13505 Aurora Ave. N

SUMMARY OF PROPOSED ACTION

Master Use Permit for future construction of a 33,649 sq. ft. addition to an existing personal and household retail sales and service store (Sam's Club) and of an automotive retail sales and service structure (fueling station) comprised of six pumps and three 20,000 gallon underground tanks and 13,200 cu. yd. of imported fill. The project includes reconfiguration of the existing parking areas and creation of a new parking area in the southeast area of the site.

The following approval is required:

SEPA – Environmental Determination - SMC Section 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The proposed addition of additional store area and a gas station is on the site of the existing Sam's Club store at 13550 Aurora Ave. N. Aurora Ave. N. is also State Route 99. The site

fronts on Aurora Ave. N. from N. 135th St. to N. 137th St. N. 135th St. is improved with curbs and sidewalks along abutting right-of-ways. The N. 135th right-of-way extends approximately two thirds of the way in from Aurora along the southern site property line where it reaches the improved Stone Ave. N. which connects to N. 130th to the south.



An area of mapped environmentally critical area, steep slope, is found along the eastern edge of the site. This area has been graded level to the property line and exists as a wooded slope to the east thereof.

In the southeast corner of the site is an area, approximately 290 feet by 500 feet, which is unpaved and the location of a proposed expansion of the parking area on the site. This area is several feet higher in elevation than the property to the south, apparently having been filled at some time in the past. The owner of the property at 13190 N. 135th St. asserts that filling has taken place in this portion of the site as recently as seven years ago, that what drainage systems existed in the area were disrupted by that activity and that surface water from the site floods his property during periods of heavy rainfall.

The proposal site has existing driveways onto Aurora Ave. N. and onto N. 135th St., and no driveway connection to N. 137th St. A traffic signal exists at the N. 135th and Aurora Ave. N. intersection and another one exists at the Stone Ave. N. and N. 130th intersection.

East of the subject site is the Haller Lake residential neighborhood. Across Aurora Ave. N. and east of the commercial uses along the street are the Bitter Lake and Broadview residential neighborhoods.

Proposal

Development Description:

The project proposal includes a 33,649 SF expansion on the south side of the existing Sam's Club facility on the 11.75-acre site, and the addition of a Sam's Gas facility on the northwestern portion of the site. The western and southern parking areas will be re-graded, and the southern parking lot expanded as part of the proposal. Improvements include the upgrade and relocation of an existing off-site sign, and street improvements, including new planting strip, street trees and sidewalks, to North 137th Street and Aurora Avenue North. Landscape improvements are proposed for both on-site and road portions of the project.

Utilities:

Existing gas and electrical services will remain for the proposed project. Telephone services will be relocated to the southeast corner of the building. Water, sewer, and storm drainage will use a combination of old and new utility components to provide service to the facility.

Schedule/Phasing:

Construction of the proposed project is anticipated from approximately July 2003 to July 2004. The existing Sam's Club store will remain in operation during construction, and the proposed improvements will be phased accordingly.

Project Location:

The project site is located at the southeast corner of the intersection of Aurora Avenue North and North 137th Street, in Seattle Washington. The site is located within the NW ¼ of Section 19, Township 26N, Range 4E, W.M.

Site Data:

Project Data:

Total Site Area	11.75 acres
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Building Data:

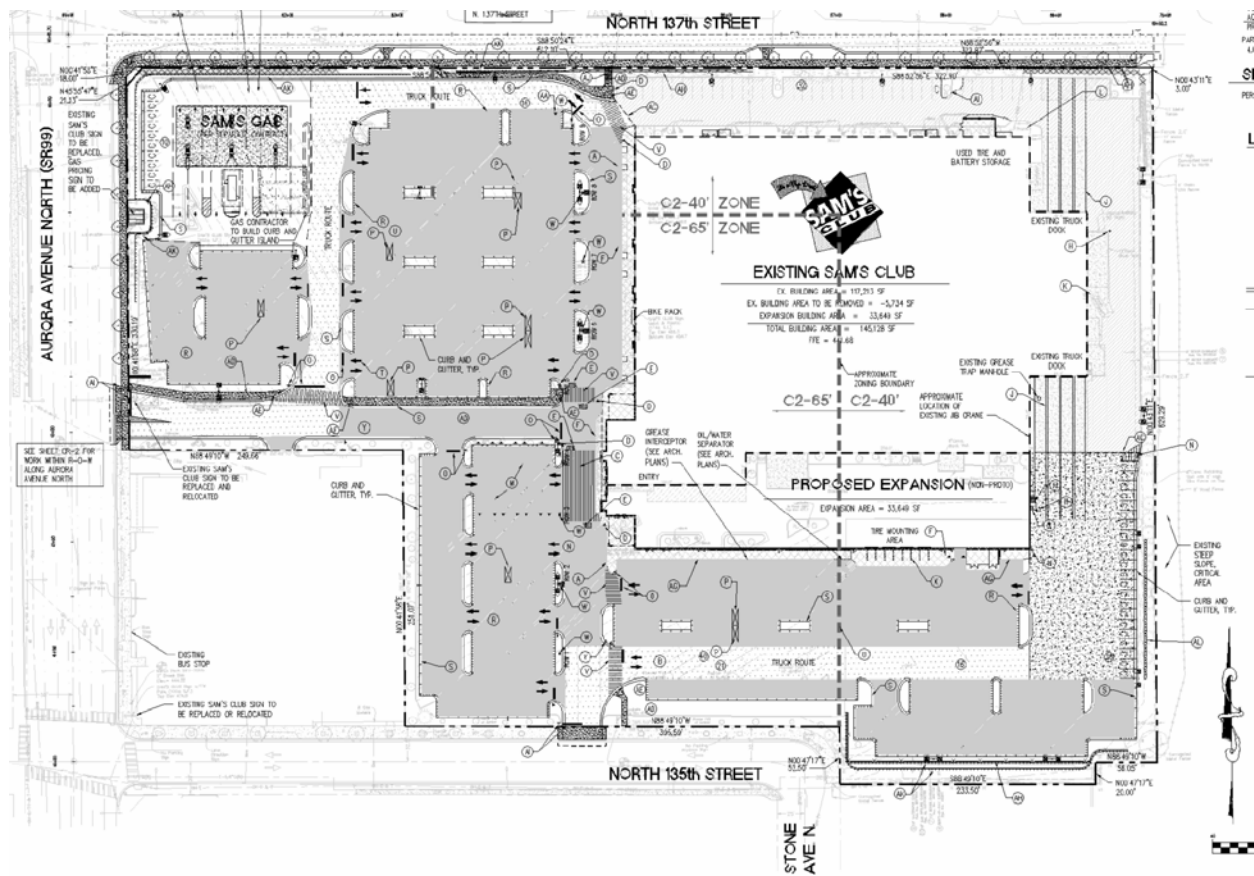
Existing Building Area	117,213 SF
Existing Building to be Removed Area	5,734 SF
Proposed Expansion Area	33,649 SF

Parking Data:

Existing Parking	568 stalls
Proposed Parking	574 stalls

Landscape Data:

Impervious Surfaces (building & paving)	90%
Approximate Open Space/Landscaping	10%
Total Site Area:	100%



Public Comment

The code required minimum SEPA comment period for this application started on January 16, 2003 and was extended to February 12, 2003. At the request of many members of the public, a community meeting was held at the Haller Lake Community Club building on February 27, 2003. Extensive written and oral comment was received (48 letters and 35 names on a sign-in sheet). The great majority of comments indicated concern over increased traffic which a driveway on N. 137th St. might create in the Haller Lake neighborhood to the east of the proposal site. This driveway might cause both pedestrian safety issues and an increase of traffic on residential streets which would be better confined to Aurora Ave. N. and major east/west arterials in the area. Another comment concerned drainage problem in the area south of the project site which appear to be exacerbated by run-off from the proposal site. A comment requested placement of large trees on the perimeter and adjacent to blank walls and in parking areas

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 13, 2002, and annotated by this Department. This information in the checklist, supplemental information provided by the applicant (Traffic Study, Soils Report, Preliminary Storm Drainage Analysis, project plans),

comments from members of the community, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation (subject to some limitations).”

Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794). Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, these are: Stormwater, Grading and Drainage Control Code (grading, site excavation and control of soil erosion through use of best management practices); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); Building Code (construction measures in general); and the Noise Ordinance (construction noise). Compliance with these applicable codes and ordinances will reduce or eliminate short-term impacts to the environment and, with the exception of construction related noise impacts, they will be sufficient without conditioning pursuant to SEPA policies.

Noise

Most of the initial construction activities including excavation, foundation work, and framing will require loud equipment. Uses in the immediately surrounding area are predominantly commercial. Residential uses exist to the east of the subject site approximately 12 higher in land elevation and approximately 100 feet away from the eastern edge of building expansion. Grading and paving activities, which use heavy equipment, would be expected to cause a high level of impact to these adjacent residences. The Seattle Noise Ordinance would allow these activities to take place from 7:00 a.m. to 10:00 p.m. The use of heavy equipment in the area of building expansion should be limited to the hours of 7:00 a.m. to 6:00 p.m. on non-holiday weekdays. Other construction-related activities should be adequately limited by the Noise ordinance.

Erosion Control

Drainage from the site enters existing storm facilities in the area and in heavy storm events floods surrounding areas. Control of erosion impacts and of water flow will be important during the grading and paving phases. The code mandated requirements of the Seattle Stormwater, Grading and Drainage Control Code are expected to be sufficient to control these impacts.

Long-Term Impacts

Long-term or use related impacts are also anticipated from the proposal and include: increased surface water runoff from greater site coverage by impervious surfaces; potentially decreased water quality in surrounding watersheds; increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; increased energy consumption; increased on-street parking demand and increased vehicle congestion. These long-term impacts are not considered significant because they are minor in scope.

Notwithstanding the determination of non-significance, the following impacts merit more detailed discussion.

Traffic

A new driveway entrance to the proposal site was proposed from N. 137th St. when application was made for this project. During the period of review the applicants removed this driveway from the proposal. The Transpo Group traffic study was amended in March of 2003 to reflect this change. The addition of a gas station, new parking spaces and new store floor area is, in total, expected to generate 1,204 new daily project trips and 108 new p.m. peak hour trips, about equally divided between entry and exit.

The levels of service ("LOS") of studied intersections are not expected to change very much with the addition project traffic. This new traffic is projected to cause increases in delay of less than three seconds at off-site signalized intersections and less than 10 seconds at off-site unsignalized intersections. It does not appear that mitigation measures aimed at improving the LOS of surrounding intersections is warranted.

Because these conclusions regarding traffic impacts are based upon an amended application wherein the proposed site driveway onto N. 137th St. was removed by the applicant, it will be necessary to clearly indicate in the project conditioning that this project will not have such a driveway access.

The installation of signage on the site in two areas would lead to improved traffic flow. Signage at the northwest corner of the property directing motorists traveling southbound on Aurora Ave N. to continue to the site driveway further south would help to avoid persons trying to enter the site from N. 137th St. Signs at the site exit driveway onto N. 135th indicating that vehicles should be go left to reach N. 130th St. would increase the use on N. 130th and Stone Ave. N., thereby

decreasing the delay at N. 135th and Aurora Ave. N. These two elements of on-site will be required pursuant to SEPA conditioning.

To facilitate safe pedestrian movement onto the site from areas to the east it is necessary that the project include pedestrian steps from N. 137th St. down to the site in a location which best provides access to the store entry door. The project will be conditioned to provide this.

Parking

The Transpo study predicts that the amount of proposed on-site parking, 575 spaces, will be adequate to accommodate the predicted peak demand of 518 vehicles.

Noise

The proposal site presents a condition, with residential properties directly east of the site and approximately 12 feet higher in grade elevation where roof top and other HVAC equipment noise could be disruptive. This situation is easily remedied through the provision of adequately designed noise screens. The project is conditioned through SEPA Noise policy authority to provide noise screening of HVAC and other mechanical equipment from residential properties to the east sufficient to insure there is no increase in noise levels from those currently generated.

Public comment indicated that the use of machines to clean existing paved surfaces on the site at night and in the early morning has caused negative impacts to nearby residents. The Seattle Noise Ordinance, although sufficient in most cases to mitigate these impacts, is not expected to be sufficient in this case due to the close proximity of such a large paved area so close to residential houses at a higher elevation. This is especially so when that surface is regularly cleaned using vacuum trucks. Therefore, the project will be conditioned to limit the use of pavement cleaning equipment to the hours of 7:00 a.m. to 10:00 p.m. on all days.

Drainage

During the public comment period and during drainage review it was revealed that the capacity of the existing public drainage system in the project vicinity is very limited, that the existing impervious surfaces were created without stormwater detention capacity, and that during heavy rains surface water from the site currently floods neighboring properties to the south. When this condition was pointed out to the applicant they designed stormwater detention in the new parking area of sufficient capacity to control stormwater from the entire site during a 100 year storm.

Because stormwater conveyance capacities in the immediate area of the proposal site are currently insufficient, it is necessary to use SEPA Public Services and Facilities policy to condition the project so that no added adverse stormwater impact is created offsite. Because the applicant has proposed creation of a detention system of sufficient capacity to accommodate stormwater from the entire site during a 100 year storm, and because that level of mitigation is deemed sufficient to control impacts of the additional and reconstructed impervious surfaces to the needed high level, it is adopted here as a SEPA condition.

Other Impacts

Several adopted Codes and Ordinances and other agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Clean Air Agency (increased airborne emissions); and the Seattle Energy Code (long-term energy consumption).

The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic; increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS – SEPA

During Construction

1. The use of heavy equipment, for excavation, grading or other construction activities, in the area of building expansion shall be limited to the hours of 7:00 a.m. to 6:00 p.m. on non-holiday weekdays.
2. The project shall include pedestrian steps from N. 137th St. down to the site in a location which best provides access to the store entry door.

For the Life of the Project

3. On-site signage shall be created at the northwest corner of the property directing motorists traveling southbound on Aurora Ave N. to continue to the site driveway further south and at the site exit driveway onto N. 135th indicating that vehicles should be go left to reach N. 130th St.
4. Because the conclusions regarding traffic impacts are based upon an amended application wherein the proposed site driveway onto N. 137th St. was removed by the applicant, it is required that this project not create such a driveway access.
5. The project shall provide noise screening of HVAC and other mechanical equipment from residential properties to the east sufficient to insure there is no increase in noise levels beyond those currently generated.
6. The use of pavement cleaning equipment shall be limited to the hours of 7:00 a.m. to 10:00 p.m. on all days.
7. There shall be a stormwater system which provides stormwater detention for the entire site sufficient to accommodate a 100 year storm as calculated pursuant to the Seattle Stormwater, Grading and Drainage Control Code.

Signature: (signature on file) Date: June 12, 2003
Scott Kemp, Senior Land Use Planner
Department of Design, Construction and Land Use
Land Use Services

SK:bg

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